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Art Unit 1648

July 15, 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Appl. No. 09/848,616; Filed: May 4, 2001

For: M

Molecular Antigen Array

Inventors:

SEBBEL et al.

Our Ref:

1700.0180002/BJD/SJE

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. First Supplemental Information Disclosure Statement;
- 2. Form PTO-1449 (62 sheets citing 195 documents);
- 3. 189 documents cited in Form PTO-1449 (attached); and
- 4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono Attorney for Applicants Registration No. 42,473

BJD/SJE/lam Enclosures

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In re application of:

Sebbel et al.

Appl. No.: 09/848,616

Filed: May 4, 2001

For: Molecular Antigen Array

Confirmation No.: 6018

Art Unit: 1648

Examiner: Mosher, M.

Atty. Docket: 1700.0180002/BJD/SJE

First Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on May 7, 2002 in connection with the above-captioned application.

Copies of documents AF2 to AK2 are not provided in accordance with the U.S. Patent and Trademark Office pre-OG notice of July 11, 2003, which states "[t]he Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003." Copies of the remaining documents are provided.

The Examiner's attention is directed to the following copending applications directed to related technical subject matter:

- U.S. Application No. 10/622,064, Bachmann *et* al., filed July 18, 2003, published as Published Application No. 2004/0059094 A1 (Document AD1);
- U.S. Application No. 10/617,876, Bachmann *et* al., filed July 14, 2003, published as Published Application No. 2004/0076611 A1 (Document AE1);
- U.S. Application No. 10/622,087, Bachmann *et al.*, filed July 18, 2003, pending (Document AT92);

U.S. Application No. 10/622,124, Bachmann et al., filed July 18, 2003, published as Published Application No. 2004/0076645 A1 (Document AF1); and

U.S. Application No. 10/733,582, Renner *et al.*, filed December 12, 2003 pending (Not Published), which is a continuation of U.S. Application No. 09/449,631, Renner *et al.*, filed November 30, 1999, abandoned (Document AR93).

In accordance with the recent Federal Circuit decision in *Dayco Prods., Inc. v. Total Containment, Inc.* 329 F.3d 1358 (Fed. Cir. 2003), Applicants submit herewith Office Actions from related copending applications as Documents AS95-AS96.

The identification of these U.S. Patent Applications and Office Actions is not to be construed as a waiver if secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications, Office Actions, and the art cited therein during examination of the present application.

Document AR94 is an unverified English language abstract of non English-language Published International Patent Application No. 94/06472, which was submitted as Document AL2 in Applicants' Information Disclosure Statement filed on May 7, 2002.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono Attorney for Applicants Registration No. 42,473

Date: July 15, 2004

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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1 5 700 E FORM PTO-1449	ATTY. DOCKET NO. 1700.0180002/BJD/SJE FIRST NAMED INVENTOR Sebbel et al.	APPLICATION NO. 09/848,616
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	AF2	5,14	3,726	09/01/1992	Thornton et al.			11/20/1989
	AG2	5,58	80,859	12/03/1996	Felgner et al.			03/18/1994
	AH2	5,93	35,821	08/10/1999	Chatterjee et al.			11/21/1996
	Al2	200	4/0059094	03/25/2004	Bachmann et al.			07/18/2003
	AJ2	200	4-0076611	04/22/2004	Bachmann et al.			07/14/2003
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1 5 2004 <u>2</u>	ATTY. DOCKET NO. 1700.0180002/BJD/SJE	APPLICATION NO. 09/848,616
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	AR	39	Brown, P.M. baculovirus	, <i>et al</i> ., "A single-s expression systen	step purification of biologically ac n, " <i>Protein Expr Purif</i> . 1995 Feb	tive recombir ;6(1):63-71, <i>A</i>	nant human inter Academic Press,	eukin-5 from a Inc. (1995)
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FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	FILING DATE May 4, 2001	ART UNIT 1648	

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	AR	41	Fehr, T., et recombinar Press (199	nt virus particles	pendent type I antibody s, " <i>Proc Natl Acad Sci</i> U	response against B ce S A. 1998 Aug 4;95(1	ll epitopes express 6):9477-9481, Nat	ed repetitively on onal Academy
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FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	FILING DATE May 4, 2001	ART UNIT 1648	

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	AR	44	Holmgren, A bacteria, " <i>El</i>	., <i>et al</i> ., "Conserv MBO J. 1992 Apr;	ed immunoglobulin-like features 11(4):1617-1622, Oxford Univer	in a family o sity Press (1	f periplasmic pilus 992)	chaperones in
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	AR	45	Hultgren, S.J Cell. 1993 Ju	., <i>et al.</i> , "Pilus an ın 4;73(5):887-90	d nonpilus bacterial adhesins: a 1, Cell Press (1993)	essembly and f	unction in cell re	cognition, "
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	AR	<u>51</u>	Luther, S.A., lymphoid ned	<i>et al.</i> , "BLC expre ogenesis, " <i>Immui</i>	ession in pancreatic islets cause nity. 2000 May;12(5):471-481, C	es B cell recruit cell Press (May	ment and lymph 2000)	otoxin-dependent
	AS	<u>51</u>	Mackay, J.L. Macmillan M	, and Browning, J agazines Ltd. (19	.L., "Turning off follicular dendrii 98)	ic cells, " Natu	re. 1998 Sep 3;	395(6697):26-27,
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	AS	<u>52</u>	Mikulowska, II-induced a Immunologis	rthritis in mice,	crophage migration inhibito " <i>J Immunol</i> . 1997 Jun 1;1	ory factor is involved in 58(11):5514-5517, The	the pathogenesi e American Asso	s of collagen type ciation of
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	AR	<u>55</u>	Orndorff, P piliation in	E., and Falkov Escherichia col	v, S., "Identification and cha i, " <i>J Bacteriol</i> . 1984 Oct;16	aracterization of a gene 60(1):61-66, American	product that reg Society for Micro	ulates type 1 biology (1984)
	AS	<u>55</u>	Orndorff, P type 1 pili i (1985)	E., and Falkown Escherichia c	v, S., "Nucleotide sequence oli, " <i>J Bacteriol</i> . 1985 Apr;	of pilA, the gene enco 162(1):454-457, Ameri	oding the structure can Society for M	al component of licrobiology
	AT	55	Pierson-Mu distribution	ullany, L.K., et a s, " <i>Mol Immun</i>	al., "Characterization of poly ol. 2000 Aug;37(10):613-62	vclonal allergen-specifi 20, Elsevier Science Lt	c IgE responses d (August 2000)	by affinity
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	AR	<u>56</u>	Escherichia d	<i>al.</i> , "The Pai-ass coli by control of ience Ltd (1997)	ociated leuX specific tRN FimB recombinase expre	IA5(Leu) aff ession, " <i>Mo</i>	ects type Il Microbio	1 fimbriation in p /. 1997 Sep;25(5	athogenic):871-882,
	AS	<u>56</u>	(Lrp) with the	e fim switch to sti	I.C., "Leucine alters the i imulate site-specific recor I Science Ltd (1998)	nteraction c mbination ir	of the leuci n Escheric	ne-responsive re hia coli, " <i>Mol Mid</i>	gulatory protein crobiol. 1998
	AT	<u>56</u>	Russell, P.W length withou Microbiology	ut affecting recep	P.E., "Lesions in two Esc etor binding, " <i>Bacteriol</i> . 1	herichia col 992 Sep;17	i type 1 pi 4(18):592	us genes alter pi 3-5935, America	lus number and n Society for
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	AR	<u>57</u>	Saulino, E.T.	., et al., "Ramifica	tions of kinetic partitioning on us rd University Press (1998)	<u> </u>	pilus biogenesis	, " <i>EMBO J</i> . 1998
	AS	<u>57</u>	Slepushkin, baculovirus-	V.A., <i>et al.</i> , "Prote expressed M2 pro	ction of mice against influenza Atein, " <i>Vaccine</i> . 1995;13(15):139	A virus challen 99-1402, Elsev	ge by vaccinatio vier Science Ltd.	n with (1995)
	АТ	<u>57</u>	superfamily a	, et al., "Interactive and essential in su ersity Press (1992	e surface in the PapD chaperon ubunit recognition and assembly)	e cleft is conse , " <i>EMBO J</i> . 1	erved in pilus ch 992 Dec;11(13):	aperone 4747-4756,
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	AR	<u>58</u>	Smyth, C.J., Immunol Me	et al., "Fimbrial a d Microbiol. 1996	adhesins: similarities and variatio Dec 1;16(2):127-139, Elsevier (ns in structure (1996)	and biogenesis	," FEMS	
	AS	<u>58</u>	biogenesis, "	, et al., "Stable fib " <i>J Biol Chem</i> . 199 ology Inc. (1994)	per-forming and nonfiber-forming 94 Apr 22;269(16):12233-12239	chaperone-su , The America	Ibunit complexes In Society for Bio	in pilus ochemistry and	
	АТ	<u>58</u>	Thanassi, D. the outer met (1998)	hanassi, D.G., et al., "The PapC usher forms an oligomeric channel: implications for pilus biogenesis across ne outer membrane, " <i>Proc Natl Acad Sci</i> U S A. 1998 Mar 17;95(6):3146-3151, National Academy Press 1998)					
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	AS	<u>59</u>	Wynne, S.A. Jun;3(6):771	Wynne, S.A., <i>et al.</i> , "The crystal structure of the human hepatitis B virus capsid, " <i>Mol Cell.</i> 1999 Jun;3(6):771-780, Cell Press (June 1999)					
	АТ	<u>59</u>	Zuercher, A. Jan;30(1):12	Zuercher, A.W., et al., "Oral anti-IgE immunization with epitope-displaying phage, " Eur J Immunol. 2000 lan;30(1):128-135, Wiley-Vch Verlag GmbH (January 2000)					
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	AS	<u>60</u>	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. X59397, from Jordan, C.T., et al. (November 1991)					
	АТ	<u>60</u>	NCBI Entrez	CBI Entrez, GenBank Report, Accession No. 711678A, from Shipolini, R.A., et al. (July 1992)					
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	AS	<u>61</u>	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. M20706, from Nassal M. (April 1993)						
	АТ	<u>61</u>	NCBI Entrez	z, GenBank Repor	t, Accession No. AAA37490, from	m Rouvier E.	(July 1993)			
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	AS	62	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. X00981, from Klemm, P. (September 1993)						
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	AS	<u>63</u>	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. X02514, from Yanisch-Perron, C., et al. (May 1994)					
	АТ	<u>63</u>	NCBI Entrez,	NCBI Entrez, GenBank Report, Accession No. X85256, from Lai, M.E., et al. (April 1995)					
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	AR	<u>68</u>	NCBI Entrez	z, GenBank Rep	ort, Accession No. X85	5297, from Lai,	M.E., et al	. (April 1995)	
	AS	68	NCBI Entrez	z, GenBank Rep	ort, Accession No. X85	5298, from Lai,	M.E., et al	. (April 1995)	
	AT	<u>68</u>	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. X85299, from Lai, M.E., et al. (April 1995)					
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	AS	<u>69</u>	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. X85302, from Lai, M.E., et al. (April 1995)					
	AT	<u>69</u>	NCBI Entrez,	, GenBank Repor	t, Accession No. X85303, from	Lai, M.E., et a	/. (April 1995)		
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	AR	70	NCBI Entre	z, GenBank Rep	port, Accession No. X853	05, from Lai, M.E., et al.	(April 1995)			
	AS	70	NCBI Entre	NCBI Entrez, GenBank Report, Accession No. X85307, from Lai, M.E., et al. (April 1995)						
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	AR	<u>71</u>	NCBI Entrez,	, GenBank Repoi	t, Accession No. X85314, from L	∟ai, M.E., et a	. (April 1995)			
	AS	71	NCBI Entrez,	NCBI Entrez, GenBank Report, Accession No. X85315, from Lai, M.E., et al. (April 1995)						
	AT	71	NCBI Entrez,	ICBI Entrez, GenBank Report, Accession No. X85316, from Lai, M.E., et al. (April 1995)						
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	AR	<u>72</u>	NCBI Entrez	z, GenBank Repor	t, Accession No. X85317, from L	.ai, M.E., et al	. (April 1995)		
	AS	72	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. X85319, from Lai, M.E., et al. (April 1995)					
	АТ	<u>72</u>	NCBI Entrez	z, GenBank Repor	t, Accession No. X80925, from h	Karayiannis, P	. (December 199	95)	
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	AR	<u>73</u>	NCBI Entrez,	, GenBank Repor	t, Accession No. AAC50341, fror	n Yao, Z., et a	al. (January 1996	5)
	AS	<u>73</u>	NCBI Entrez, GenBank Report, Accession No. X72702, from Preisler-Adams, S., et al. (February 1996)					
	AT	<u>73</u>	NCBI Entrez, GenBank Report, Accession No. VCBPR7, from Weber, K., et al. (April 1996)					
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	AS	74	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. B56338, from Hoffman, D.R. (May 1997)					
	АТ	74	NCBI Entrez	, GenBank Repor	t, Accession No. U95551, from F	Rao, B.S., et a	al. (June 1997)		
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	AR	<u>75</u>	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. S14764, from Vandermeers, A., et al. (October 1997)					
	AS	<u>75</u>	NCBI Entrez, GenBank Report, Accession No. P03611, from Weber, K., et al. (November 1997)						
	АТ	<u>75</u>	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. AAC14699, from Beekwilder, M.J., et al. (April 1998)					
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	AR	<u>76</u>	NCBI Entrez,	NCBI Entrez, GenBank Report, Accession No. AAC14704, from Beekwilder, M.J., et al. (April 1998)				
	AS	<u>76</u>	NCBI Entrez,	NCBI Entrez, GenBank Report, Accession No. AF043593, from Gunther, S., et al. (May 1998)				
	АТ	<u>76</u>	NCBI Entrez,	GenBank Repor	t, Accession No. 1POC, from So	cott, D.L., et al	. (September 19	98)
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	AR	77	NCBI Entre	NCBI Entrez, GenBank Report, Accession No. CAA30374, from Inokuchi, Y., et al. (February 1999)				
	AS	77	NCBI Entre	z, GenBank Rep	oort, Accession No. X02496	, from Bichko, V., et	al. (April 1999)	
	АТ	77	NCBI Entre	z, GenBank Rep	port, Accession No. MFIV62	, from Cox, N.J., et a	ıl. (July 1999)	
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	AR	<u>78</u>	NCBI Entre	z, GenBank Repor	t, Accession No. VCBPFR, fro	m Wittmanr	n-Liebold, B., et a	al. (July 1999)	
	AS	<u>78</u>	NCBI Entrez, GenBank Report, Accession No. A59055, from Hoffman, D.R., and Schmidt, J.O. (August 1999)						
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8	ATTY. DOCKET NO. 1700.0180002/BJD/SJE	APPLICATION NO. 09/848,616
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	AR	<u>79</u>	NCBI Entrez	z, GenBank Repo	ort, Accession No. AF051814, from	m Boyd, E.F.,	and Hartl, D.L. (\$	September 1999)		
	AS	<u>79</u>	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. AF110999, from Chang, S.F., et al. (October 1999)						
	AT	<u>79</u>	NCBI Entrez	z, GenBank Repo	ort, Accession No. AB033559, fro	m Okamoto, H	., et al. (October	· 1999)		
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	AS	80	NCBI Entre	ez, GenBank Rep	ort, Accession No. AJ1323	664, from Graupne	er, S., <i>et al</i> . (April 20	000)	

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NCBI Entrez, GenBank Report, Accession No. AF237482, from Johnson, J.R., et al. (May 2000)

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	AS	81	NCBI Entre	z, GenBank Repor	t, Accession No. AF22964	6, from Skerker,	J.M., and Shapiro,	L. (August 2000)	

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NCBI Entrez, GenBank Report, Accession No. M95589, from Shi, H., et al. (January 2001)

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	ATTY. DOCKET NO. 1700.0180002/BJD/SJE	APPLICATION NO. 09/848,616
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	AS	82	NCBI Entre	NCBI Entrez, GenBank Report, Accession No. AF323080, from Steppan, C.M., et al. (January 2001)						
	AT	82	NCBI Entre	NCBI Entrez, GenBank Report, Accession No. AF323081, from Steppan, C.M., et al. (January 2001)						
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	AR	83	NCBI Entrez,	ICBI Entrez, GenBank Report, Accession No. U14003, from Plunket, G., III, et al. (January 2001)						
	AS	<u>83</u>	NCBI Entrez,	ICBI Entrez, GenBank Report, Accession No. AF121239, from Hannoun, C., et al. (February 2001)						
	AT	83	NCBI Entrez,	CBI Entrez, GenBank Report, Accession No. AF121240, from Hannoun, C., et al. (February 2001)						
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NCBI Entrez, GenBank Report, Accession No. X59795, from Lai, M.E., et al. (March 2001)

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	AR	<u>86</u>	NCBI Entrez	, GenBank Repor	t, Accession No. AAB59424, from	m Kenten, J.H	l., et al. (Februar	y 2002)		
	AS	<u>86</u>	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. AAC06250, from Beekwilder, M.J., et al. (March 2002)						
	АТ	<u>86</u>	NCBI Entrez	, GenBank Repor	t, Accession No. L09137, from Y	′anisch-Perror	า, C., et al. (May	2002)		
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AR	<u>87</u>	NCBI Entrez, GenBank Report, Accession No. 009006, from Hromas, R., et al. (June 2002)
AS	<u>87</u>	NCBI Entrez, GenBank Report, Accession No. P40224, from Nagasawa, T., et al. (June 2002)
AT	<u>87</u>	NCBI Entrez, GenBank Report, Accession No. P34884, from Bernhagen, J., et al. (June 2002)

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	AR	88	NCBI Entrez	, GenBank Repor	t, Accession No. P06821, from \	Winter, G., et a	al. (June 2002)		
	AS	88	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. P30904, from Sakai, M., et al. (June 2002)					
	АТ	88	NCBI Entrez, GenBank Report, Accession No. NP_040754, from Inokuchi, Y., et al. (June 2003)						
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	AR	<u>89</u>	NCBI Entrez	ICBI Entrez, GenBank Report, Accession No. NP_061354, from Ishikawa, S., et al. (September 2003)					
		<u> </u>	NCBI Entrez	GenBank Repor	rt, Accession No. NP_031804, fro	om Lenda Dí	M et al (Septer	mber 2003)	
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5 2004 22	ATTY. DOCKET NO. 1700.0180002/BJD/SJE	APPLICATION NO. 09/848,616	
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	AR	<u>90</u>	NCBI Entrez,	NCBI Entrez, GenBank Report, Accession No. NP_000748, from Yao, G.Q., et al. (September 2003)						
	AS	<u>90</u>	NCBI Entrez	NCBI Entrez, GenBank Report, Accession No. P03069, from Hinnebusch, A.G., et al. (September 2003)						
	АТ	90	NCBI Entrez,	NCBI Entrez, GenBank Report, Accession No. O00585, from Hromas, R., et al. (September 2003)						
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	AR	91	NCBI Entrez,	NCBI Entrez, GenBank Report, Accession No. P14174, from Weiser, W.Y., et al. (September 2003)					
	AS	91	NCBI Entrez,	NCBI Entrez, GenBank Report, Accession No. P48061, from Spotila, L.D., et al. (September 2003)					
	АТ	<u>91</u>	NCBI Entrez,	, GenBank Repor	rt, Accession No. P80003, from \	/andermeers,	A., et al. (Septe	mber 2003)	
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	AR	92	Swiss-Prot	/TrEMBL, TN1	1_Mouse, Primary Accessi	on No. O35235, entered	d in Swiss-Prot in	n October 2001		
	AS	92	Swiss-Prot/TrEMBL, TN11_Human, Primary Accession No. O14788, entered in Swiss-Prot in October 2001							
	AT	92	Copy of co-pending U.S. application 10/622,087, inventors Bachmann et al., filed July 18, 2003 (NOT PUBLISHED)							
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	AS	93	Jegerlehner, A., et al., "A molecular assembly system that renders antigens of choice highly repetitive for induction of protective B cell responses," Vaccine 20:3104-3112, Elsevier Science, Ltd. (August 2002)					
	АТ	93	NCBI Entrez, PubMed Abstract, PMID: 2205968, Diallo, A., et al., "Morbillivirus group: genome organization and proteins," Vet. Microbiol. 23:155-163 (1990)					
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EXAMINER: Initi	al if refer	ence co	nsidered, whe	ther or not citation i	s in conformance with MPEP 609. tion to Applicant.	Draw line thro	ough citation if no	t in conformance	